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SENATE BILL 134

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY  
Mark Boitano

AN ACT

RELATING TO PUBLIC EDUCATION; LIMITING CALENDAR ADJUSTMENTS  
AFTER A SCHOOL YEAR HAS BEGUN.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-2-8.1 NMSA 1978 (being Laws 1986,  
Chapter 33, Section 2, as amended) is amended to read:

"22-2-8.1. LENGTH OF SCHOOL DAY--MINIMUM.--

A. Except as otherwise provided in this section,  
regular students shall be in school-directed programs,  
exclusive of lunch, for a minimum of the following:

(1) kindergarten, for half-day programs, two  
and one-half hours per day or four hundred fifty hours per year  
or, for full-day programs, five and one-half hours per day or  
nine hundred ninety hours per year;

(2) grades one through six, five and one-half

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1 hours per day or nine hundred ninety hours per year; and  
2 (3) grades seven through twelve, six hours per  
3 day or one thousand eighty hours per year.

4 B. Thirty-three hours of the full-day kindergarten  
5 program may be used for home visits by the teacher or for  
6 parent-teacher conferences. Twenty-two hours of grades one  
7 through five programs may be used for home visits by the  
8 teacher or for parent-teacher conferences.

9 C. Nothing in this section precludes a local school  
10 board from setting length of school days in excess of the  
11 minimum requirements established by Subsection A of this  
12 section; provided that no calendar adjustments shall be made  
13 after a school year begins that would lengthen a school day in  
14 increments of less than one-half hour per day.

15 D. The [~~state superintendent~~] secretary may waive  
16 the minimum length of school days in those districts where such  
17 minimums would create undue hardships as defined by the [~~state~~  
18 ~~board~~] department."